CLAUSE 1, etc.

Mr. SPEAKER.—The question is :

" That Clause 1, the Preamble and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Preamble and the Title were added to the Bill.

Motion to pass.

Sri K. PUTTASWAMY.—Sir, I beg to move :

" That the Mysore Ayurvedic and Unani Practitioners" Registration and Medical Practitioners Miscellanous Provisions (Amendment) Bill, 1967, be passed."

Mr. SPEAKER.—The question is :

" That the Mysore Ayurvedic and Unani Practitioners' Registration and Medical Practitioners Miscellaneous Provisions (Amendment) Bill, 1967, be passed."

The motion was adopted.

CITY OF BANGALORE MUNICIPAL CORPORATION (AMENDMENT) BILL, 1967

(*Motion to consider*)

Sri R. M. PATIL (Minister for Municipal Administration).—I beg to move :

" That the City of Bangalore Municipal Corporation (Amendment) Bill, 1967, be taken into consideration."

Mr. SPEAKER.—Motion moved :

"That the City of Bangalore Municipal Corporation (Amendment) Bill, 1967, be taken into consideration."

Sri T. R. SHAMANNA.—I have got an amendment.

Mr. SPEAKER.—The member may move it tomorrow.

Mr. R. M. PATIL.—In view of the provisions of Section 47A of the Municipal Corporation Act, the Bangalore Corporation was superseded. After the supersession, the order was challenged and the High Court of Mysore set aside the order. During this period, from the date of the appointment of Administrator and the period setting aside the order, the Administrator had to function and he functioned. During the period, many Acts have been done by the Administrator. In order

(SRI R. M. PATIL)

to validate such acts there is a necessity to have a general provision and that provision was not contemplated when the Section 47A was considered and passed by this House. It was necessary to validate such acts according to the provisions of the Corporation Act. Along with this certain provisions by way of consequential reliefs had to be done and these are also included in this Bill to provide for the pay and allowances of the whole-time Administrator. Before the Order of the supersession, it was contemplated that a part time officer of the super time scale could function along with some other work. At the time when he took charge, he was functioning as a special Secretary to Government of Mysore. He used to function both as Secretary to Government as well as Administrator. But when the second order was passed and when the second order was confirmed by the High Court it was thought necessary that there should be a whole time officer to administer this Corporation and to solve the number of problems of the Corporation in its development and also to augment the resources of the Corporation. So to make a provision to enable to pay the wholetime Officer a clause was necessary in the Act itself which was contemplated and omitted in the ordinance. In order to substitute that ordinance this has been introduced.

Secondly, it is necessary, under certain circumstances as and when the Government thinks fit in the best interest of the administration of the Corporation, to give directions. In the interest of the administration may give directions on policy matters. There was no provision in the Corporation Bill to give such directions. As I have already submitted before, to validate the actions of the Administrator, this Bill is before this House. If any legal difficulty is discovered subsequently and if any acts purported to have been done or were done cannot be construed as illegal, only on the fact that the first order of supersession was set aside on technical ground.

[MR. DEPUTY SPEAKER in the Chair]

All the acts which are done or which are likely to be done by the Adiministrator are official acts. They are deemed to be bonafide acts. By mere technicalities they cannot be construed as illegal. In order to give validation for such acts, a provision has been made.

5-30 P.M.

Then Sir, the Administrator and the Commissioner thought fit that the administration of the Corporation requires more hands in order to see that there should be effective administration.

ಶ್ರೀ ಎಲ್. ಶ್ರೀಕಂಠಯ್ಯ.—ತಮ್ಮ ಭಾಷಣ ನೋಡಿದರೆ ಕಾರ್ಪೊರೇಷನ್ ಸೂಪರ್ ಸೆಷನ್ನನ್ನು ಪರ್ಮನೆಂಟ್ ಫೀಚರ್‌ನ್ನಾಗಿ ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳುತ್ತಿದ್ದೀರೆಂದು ನನಗೆ ಅನುಮಾನ ಬಂದಿದೆ.

Sri R. M. PATIL.—The Hon'ble Member need not have any apprehension. I am explaining the provisions.

Sri H. SIDDAVEERAPPA.—We want enlightenment. What worries my friend is that it is going to highten his feeling that there will be no corporation in future for Bangalore.

Sri R. M. PATIL.—The Hon'ble member assumes as if he is the only person who is insterested in democratic set up! There is no point in arrogating all the wisdom and all the spirit to oneself. I am explaining the clauses of the Bill. I am not introducing any of my views. Why this has been done is, because the Corporation felt the deficiency or inadequacy of the staff, they moved the Government and the Government accorded sanction. Then the delegation of power was felt necessary. The Commissioner is the sole authority under the provisions of the existing Act. In order to delegate some of those powers to various authorities, a clause has been provided in this Bill.

Thirdly, it is proposed to enlarge the powers of the Municipal Commissioner to enable him to waive penalty in proper cases on sufficient reason for delay in payment of property taxes, to require additional information in applications for building permissions or to refuse building permissions and to exercise summary powers for demolition in certain cases for a temoprary period up to June 1970. This is only to enable administration. Then the provisions of the Rent Control Act are curtailed and so far as municipal properties are concerned, they are protected from the control of the Rent Control Act so that the Corporation properties can be leased in the best interest of the revenue to the Corporation. Consequential amendments are suggested in the City Improvement Trust Board Act as well as Town and Country Planning Act. These are the important aspects that have been taken into consideration in framing this Bill and also in introducing that ordinance. Sir, this is a very simple measure. Hon'ble Members of this House may consider it in detail and if any amendments are to be proposed, they may do so for their consideration.

Mr. DEPUTY SPEAKER.—Now the House stands adjourned to meet tomorrow at 1 P.M.

The House adjourned at Thirty-five Minutes past Five of the Clock to meet again at One of the Clock on Friday, the 8th December 1967.